

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10917 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and
MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

GUPTA & CO

Versus

COMMISSIONER OF CUSTOMS (APPEALS)

Appearance:

MRS KETTY A MEHTA for Petitioners
MR MUKESH R SHAH for Respondent No. 1

CORAM : MR.JUSTICE B.C.PATEL and
MR.JUSTICE A.L.DAVE

Date of decision: 15/02/99

ORAL JUDGEMENT

Rule. Mr. M.R. Shah waives service of Rule.
With the consent of learned advocates, the petition is taken up today for final hearing.

The petition is preferred for issuance of a writ of mandamus or an appropriate writ, order or direction,

directing the respondent to dispose of the appeals preferred by the present petitioners through their Power of Attorney vide Annexure-A Collectively to the petition within a period of two months from the date of receipt of the writ of this Court. Learned advocate submitted that huge amount is involved and bank guarantees are given by the petitioners and, as a matter of fact, as the amount is cornered, the growth of the business is adversely affected.

Learned advocates have requested not to assign any reasons for the direction, as observations made in the matter with regard to the merits may affect the result of the appeals one way or the other. Under the circumstances, we direct that the authority, namely, respondent No.1, shall dispose of the appeals preferred by the petitioners on or before 30th April, 1999. Rule is made absolute, accordingly, with no order as to costs.

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